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Attorney Docket No.: 19904-013 NATL. (BREESE-13)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Temsamani *et al.*
SERIAL NO: 09/856,940 INTERNATIONAL PCT/FR99/02939
APPLICATION NO :
I.A. FILING DATE: 26 November 1999 PRIORITY DATE : 30 November 1998
FOR: PHARMACEUTICAL COMPOSITION COMPRISING AN ANTI-CANCER AGENT AND
AT LEAST A PEPTIDE

December 6, 2001
Boston, Massachusetts

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

VIA

U.S. Patent and Trademark Office
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Arlington, VA 22202

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28 DEC 2001

Legal Coun.
International Division

PETITION AND STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NONSIGNING INVENTORS (37 C.F.R. §1.47)

Sir:

This is a Petition pursuant to 37 C.F.R. §1.47 to accept the accompanying Combined Declaration and Power of Attorney of inventors Jamal Temsamani and Michel Kaczorek. The fee pursuant to 37 C.F.R. §1.17(f) is enclosed herewith. A bona fide attempt was made to locate and obtain the signature of third inventor, Annick Colin de Verdier. However, inventor Annick Colin de Verdier could not be located or reached after diligent effort.

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor for the above-identified patent application.

This statement is being made by the undersigned, an attorney for SYNT:EM S.A., the assignee of the above-identified application. The undersigned has first-hand knowledge of the facts recited herein.

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This statement is being submitted in response to a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.371 IN THE UNITED STATES DESIGNATED ELECTED OFFICE (DO/EU/US), which was mailed 10 July 2001 in the above-identified application.

The above-identified application has an International Filing Date of November 26, 1999 and was filed as a U.S. National Application under 35 U.S.C. 371 on May 30, 2001. The application is to be assigned to SYNT:EM, Nimes, France and names three (3) inventors: Jamal Temsamani, Michel Kaczorek and Annick Colin de Verdiere. Inventors Jamal Temsamani and Michel Kaczorek are presently employees of SYNT:EM. Inventor Annick Colin de Verdiere is no longer employed at SYNT:EM. Upon receipt of the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.371 IN THE UNITED STATES DESIGNATED ELECTED OFFICE (DO/EU/US), a Combined Declaration and Power of Attorney form was provided to our French patent associate at the firm of Breese-Majerowicz in Paris France, in order to obtain the signatures of all the inventors for submission as part of the Response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.371 IN THE UNITED STATES DESIGNATED ELECTED OFFICE (DO/EU/US), since all of the inventors reside in France.

Upon Receipt of the Declaration for signing, Breese-Majerowicz forwarded the Declaration to SYNT:EM requesting that they obtain the signatures of the three inventors on the Declaration.

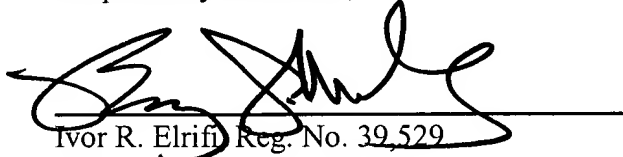
Our French patent associate at Breese-Majerowicz has informed us that SYNT:EM has communicated that inventor Annick Colin de Verdiere is no longer employed at SYNT:EM and our French patent associate has not succeeded in locating or contacting inventor Annick Colin de Verdiere at her last known residence address. Accordingly, a diligent effort to reach inventor Annick Colin de Verdiere has been made in accordance with 37 C.F.R. §1.47(a). Copies of letters sent to inventor Annick Colin de Verdiere (in French and translated to English) requesting her signature on the Declaration form, and evidence of delivery issued from the French Mail Service are attached hereto.

The last known business and residence addresses of non-signing inventor, Annick Colin de Verdiere are:

<u>Business</u>	<u>Residence</u>	<u>Residence</u>
SYNT:EM	113, allée des Pins,	4 rue Rémi Belleau
Parc Scientifique Georges Besse	Résidence Claude Monet	86 000 POITIERS
F-3000	F-3000	FRANCE
Nîmes, FRANCE	Nîmes, FRANCE	

Since inventor Annick Colin de Verdierre has not been located and has not responded to requests to execute the Declaration, the undersigned respectfully requests that inventor Annick Colin de Verdierre be designated as an unavailable inventor and permit submission of the Declaration with the signatures of Jamal Temsamani and Michel Kaczorek on behalf of the non-signing inventor.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ivor R. Elrifi', is written over a horizontal line.

Ivor R. Elrifi, Reg. No. 39,529

Michel Morency, P-50,183

Barry J. Marenberg, Reg. No. 40, 715

Attorney for the Applicants

c/o Mintz, Levin, Cohn, Ferris,

Glovsky and Popeo, P.C.

One Financial Center

Boston, MA 02111

Telephone: (617) 542-6000; Fax: (617) 542-2241

Dated: December 6, 2001